

REMARKS

Applicant has cancelled claim 2 without prejudice or disclaimer, and amended claims 3-4. Claims 3-5 and 8-10 are now pending.

In the pending Office Action, the Examiner rejected claims 2-3 under 35 U.S.C. § 103(a) as being unpatentable over Strohmeier et al. (U.S. Patent No. 4,676,653) in view of DeSimone et al. (U.S. Patent No. 4,833,088). Further, the Examiner objected to claim 4 as being dependent on a rejected base claim but allowable if rewritten in independent form.

Applicant appreciates the indication by the Examiner that claim 4 contains allowable subject matter. Applicant has thus cancelled claim 2 and rewrote objected-to claim 4 in independent form. The dependency of claim 3 has been accordingly amended to be dependent on independent claim 4. Accordingly, Applicant submits that newly-amended independent claim 4, and its dependent claim 3, are now in prima-facie condition for allowance in light of the Office Action's indication of allowable subject matter in claim 4. Reconsideration and withdrawal of the rejection and objection applied to the pending claims are respectfully requested.

The Examiner is thanked for the indication that claims 5 and 8-10 are allowed.

In view of the foregoing, Applicant submits that all of the examined claims are now in condition for allowance. Accordingly, a timely allowance of all of the pending claims is earnestly solicited.

For at least the foregoing reasons, reconsideration and withdrawal of the objection and rejections set forth in the pending Office Action are respectfully requested.

CONCLUSION

In view of the foregoing, Applicant submits that the pending claims are in condition for allowance, and respectfully requests withdrawal of all outstanding objections and rejections, and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,



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